Office of Community **Development**

Community Development Annual Action Plan

Fiscal Year 2003-2004

Office of Community Development 301 West Bagdad., Suite 140 Round Rock, TX 78664 512.218.5416

Executive Summary

Community Development Annual Action Plan

Intent

The City of Round Rock has prepared the 2003-2004 Community Development Annual Action Plan (CDAP) that identifies how the City will use federal resources to meet priority community needs. The overall goal of the CDAP is to identify resources which will improve the lives of Round Rock's residents by: providing homeownership assistance; improving neighborhoods; providing economic opportunities; providing public services assistance; and delivering needed services.

In accordance with federal regulations, the City of Round Rock prepared a Consolidated Plan which includes a needs assessment, a list of priority community needs, and strategies to address priority needs. The categories of priority needs addressed in the Consolidated Plan are neighborhood improvements, economic opportunities, housing, public services, and community development.

The document also includes the one-year CDAP which identifies the City's plan for funds received from the U.S. Department of Housing and Urban Department (HUD) through the Community Development Block Grant (CDBG). The 2003-2004 CDAP identifies the goals and objectives to be achieved during the first program year (PY) of the plan covering the period October 1, 2003, through September 30, 2004. Round Rock's allocation of \$425,000 for PY 2003-2004 represents a decrease in funding from the previous year by three percent. Block grant dollars and anticipated general fund contributions will provide in excess of \$600,000 for program implementation.

The Office of Community Development is the lead agency responsible for developing the 5-Year Consolidated Plan and CDAPs. This office coordinated with the Round Rock Housing Authority, Williamson County and Cities Health District, multiple public service agencies, and the Chamber of Commerce to develop the plan. Citizen participation was coordinated by the Community Development Coordinator. Four public hearings and a community-wide needs assessment survey were utilized to obtain citizens' views on community needs.

Priorities for funding in 2003-2004 were established by analysis of data, services available in the community, public input, survey results, and the Consolidated Plan. The priorities are 1) Affordable and accessible housing; 2) Community development; and 3) Economic development.

Some of the programs funded through the CDBG program will be emphasized in seven target area census block groups. Other programs are operated on a city-wide basis. A full description of targeted programs is included in the CDAP. A minimum of 80 percent of the CDBG funds made available to the City will benefit households earning less than 80 percent of the median family income. Of the CDBG funds allocated for housing, 100 percent will benefit households earning less than 80 percent of the median family income. In the first four years of the down payment assistance program, over 100 low to moderate income families became new homeowners with assistance provided them through the housing program.

Section 2

Introduction and Background

Community Development Annual Action Plan

The Consolidated Plan

The City of Round Rock is committed to encouraging the development and preservation of services and facilities which improve housing options, increase economic diversification, and improve opportunities for low- and moderate- income citizens. The primary challenge is to protect the quality of life while managing rapid growth and change.

The Consolidated Plan includes an assessment of housing and community development needs for the period beginning with Fiscal Year 2002/03. This document also identified priorities and strategies for the CDBG program. A one-year annual action plan was developed to implement the strategies during the first year covered by the Consolidated Plan. Five main components were included in the 3-Year Consolidated Plan: (1) Community Profile, (2) Housing and Homeless Needs Assessment, (3) Housing Market Analysis, (4) Three-Year Strategic Plan, and (5) One-Year Community Development Annual Action Plan (CDAP) for PY 2003-04. General priorities were developed based on the results of staff analysis, citizen participation and public hearings, surveys of housing and social service needs, and Census data in conjunction with Community 2020 software. Using information provided by these sources, the City identified three priorities: housing, community development and economic development. The following table summarizes the priorities and the strategies the City plans to implement over the next five years to address the priorities.



Lead Agency

The Office of Community Development is the lead agency designated to prepare and submit the Five-Year Consolidated Plan and One-Year CDAPs in each succeeding year. The goal is to effectively and efficiently provide affordable housing and economic development opportunities in partnership with the community. To accomplish this, the Office directly administers a variety of programs to serve the community's housing, community development, social and economic development needs.

Administration of Federal Grants

The Office of Community Development directly administers the CDBG Program with the City of Round Rock currently in its fifth year of receiving CDBG funds.

Citizen Participation in Developing the CDAP

Citizen participation, an integral part of developing Round Rock's 2003-2004 CDAP, was obtained through public hearings, public meetings, and a community needs assessment survey.

Stakeholders Meetings

The *Planning Strategies 2025* Steering Committee held monthly meetings beginning November, 2001 through April, 2002. The vision and purpose of this group is to assure quality health and human services for Williamson County residents.

Six meetings were held by the *Round Rock Social Services Coalition* from December 2001 through June, 2002. This coalition is comprised of the following agencies: United Way, Any Baby Can, The Volunteer Center, Bluebonnet MHMR, The Round Rock Serving Center, The Community Services Council, The Round Rock Health Clinic, St. John Vianny, Round Rock ISD, Williamson-Burnet Counties Opportunities, and the Round Rock Caregivers. The goal of this coalition is to have a central location to house all services these agencies provide.

Citizen Surveys

28,000 surveys were mailed with utility bills and an additional 3,000 were distributed to area apartment complexes during the month of March. A total of 725 surveys were returned with payments, mailed, or faxed to the Office of Community Development by April 25, a response rate of 2%.

Community Development Commission

A total of four public hearings before the Community Development Commission (CDC) and the City Council will be held during the Annual Action Plan process. By the time the plan is adopted, the CDC will have conducted two public hearings: March 13, 2003; and June 5, 2003. City Council will have conducted two public hearings: March 16, 2003 and June 12, 2003. Public hearings were also held at the United Way Conference Room for the Coalition of Public Services on March 25, 2003. During this period over 100 persons attended these meetings. Notification of dates, times, and locations of these public meetings appeared in the Round Rock Leader on February 13, 2003 and May 5, 2003. Notification of the dates, times, and locations of the public hearings on the Annual Action Plan appeared on the City's website.

Written comments

The Office of Community Development collected information from hearings and surveys to prepare a draft Annual Plan. The Draft Community Development Annual Action Plan (CDAP) was made available for public review and comment on June 2, 2003. The CDAP is available for public review at the Robert G. and Helen Griffith Public Library, the Office of Community Development, and the Planning and Community Development office. Notification of the draft plan public review appeared in the Round Rock Leader on May 5, 2003.

City Council Hearings

Two public hearings were held by City Council to receive input on the needs and the Community Development Annual Action Plan on March 16, 2003 and June 12, 2003. Notification of these hearings appeared in the Round Rock Leader on February 13, 2003 and May 5, 2003.

Resources

The financial resources expected to be made available for Program Year 2003-2004 are:

Community Development Block Grant Program (CDBG): \$425,000 City General Fund Contribution to Public Service Agencies: (minimum) \$200,000

Total: \$625,000

A minimum of 80 percent of the CDBG funds made available to the City will benefit households earning less than 80 percent of the median family income. Of the CDBG funds allocated for housing, 100 percent will benefit households earning less than 80 percent of the median family income. The CDAP provides a narrative of the City's proposed actions in the coming year. Other resources, other federal funds, state and local government resources, and private contributions and/or financing, are identified in the discussions of the activities to be funded.

Section 3

Annual Action Plan

Fiscal Year 2003 - 2004

Projects

During PY 2003-2004, the City of Round Rock proposes to spend \$425,000 in CDBG entitlement funds from the U.S. Department of Housing and Urban Development (HUD). The proposed Annual Action Plan consists of projects that implement the 3-Year Strategic Plan to address the City's priority needs which were identified through staff analysis and citizen participation.

The Annual Action Plan is structured into projects that are designed to support the strategies that address the priorities identified in the 3-Year Strategic Plan. This year's Annual Action Plan consists of four projects that are composed of implementation activities for the City staff and project partners to conduct. The Annual Action Plan accounts for activities to conduct beginning October 1, 2003 and concluded by September 30, 2004. Table 1 identifies the Annual Action Plan's funding strategy for these projects.

Project	Activities	Amount
Project 1: Housing Activities	Down Payment/Closing Cost Loans	\$100,000
	Emergency Repair Program	\$50,000
Project 2: Community Development	Historic Downtown Landscape and Site Amenities	\$76,250
	Sidewalks	\$50,000
Project 3: Public Services	Grants to Social Service Agencies	\$63,750
Program Administration	Grant and Program Management	\$85,000
	\$425,000	

• Table 1: PY 2003-2004 CDBG Allocation Plan

Project 1: Housing Activities

Home Ownership Assistance Program: City Down Payment/Closing Costs Assistance. This activity involves providing 50% down payment and reasonable closing costs for eligible first-time homebuyers.

Funding Source: CDBG

Funding Provided: \$100,000

<u>Program Delivery and Management:</u> Office of Community Development, Designated financial institutions

National Objective: Low- to moderate-income working families capable of making mortgage payments but needing assistance with down payments and closing costs. The program will be applied city-wide. (8570.208(a))

Matrix Code: 13 (Direct Homeownership Assistance)

2002-2005 Strategic Plan Priority: HIGH: Housing

<u>2003-2004 Annual Action Plan Project Category:</u> Project 1.1: Home Ownership Assistance Program

Emergency Repair Program. This activity provides up to \$5,000 per household to repair roofs, floors, windows, and replace water heaters for income eligible residents. This program will be city wide.

Funding Source: CDBG

Funding Provided: \$50,000

Program Delivery and Management: Office of Community Development

<u>National Objective:</u> Housing Activities (δ570.208(a)(3)) Improving permanent residential structures that are occupied by low and moderate income families.

Matrix Code: 14A (Rehabiliation: Single Unit Residential)

2002-2005 Strategic Plan Priority: HIGH: Housing

<u>2003-2004 Annual Action Plan Project Category:</u> Project 1.2: Emergency Repair Program

Project 2: Community Development

Landscape Project. This special economic development project is a total renovation of existing landscape and installation of site amenities that include benches, trash cans, ash urns, and planters that will fit the historic character of the downtown area. The service area is bound by Mays on the West, an alley between Liberty and Main on the North, Sheppard on the East, and an alley between Bagdad and Main on the South.

The service area includes residential that depends on small retail shops on the fringes of the downtown area. Local "mom and pop" shops located in this area include barber shops, hair salons, dry cleaners, a bakery, a small pizza shop, a small furniture store, an automotive repair shop, café, sno-cone stand, gift shops, boutiques, and general merchandise shops. Landscape improvements will inject a much needed aesthetic appeal to the area for the businesses and service area patrons. The following map delineates the boundary of the service area for this project. Project area is located in LMI census tract 207.01.

Funding Source: CDBG

Funding Provided: \$76,250

Program Delivery and Management: Office of Community Development, Parks Dpt.

<u>Public Benefit:</u> Sustain low and moderate income neighborhoods.

2002-2005 Strategic Plan Priority: HIGH: Economic Development

2003-2004 Action Plan Project Category: Community Development Project 2.1.

National Objective: Low and Moderate income area benefit (8570.208(a)(1)(i))

Matrix Code: 03N (Beautification)

Sidewalks. This sidewalk project will provide a sidewalk on Country Air Dr. to CR 115 (Sunrise Road)

This facility is in the targeted service area that lies in LMI census block group 215.02 BG 1.

Funding Source: CDBG

Funding Provided: \$50,000

Program Delivery and Management: Office of Community Development and Public Works

<u>Public Benefit:</u> Sustain low and moderate income neighborhoods.

2002-2005 Strategic Plan Priority: HIGH: Community Development

2003-2004 Annual Action Plan Project Category: Project 2.1:

<u>National Objective</u>: Low and moderate income persons. At least 51% of the residents are low and moderate income persons. $(\delta 570.208(a)(1)(i))$

low and moderate income persons. (0570.200(a)

Matrix Code: 03L (Sidewalks)

Project 3: Public Services

Public Service Agency Funding Program. This program provides funding to specific service agencies in Round Rock. The funding will be allocated through a competitive grant application process.

Funding Source: CDBG

Funding Provided: \$63,750 plus \$8,550 reprogrammed prior year public service funding.

<u>Program Delivery and Management:</u> Office of Community Development, City Finance Department, Subrecipient Service agencies

National Objective: Expanded public services for low-income persons in need. (§570.208 (a)(2)(i)(B)

<u>Matrix Codes:</u> 05 (Public Services General); 05A (Senior Services); 05D (Youth Services); 05L (Child Care Services); 05M (Health Services)

2002-2005 Strategic Plan Priority: HIGH: Community Development

2003-2004 Annual Action Plan Project Category: 3: Public Services

Program Administration

This activity involves the oversight and administration of CDBG funds and activities, ensuring compliance with applicable regulations and program effectiveness. The Office of Community Development also provides technical assistance to community-based organizations, conducts neighborhood improvement activities, coordinates advisory groups for implementation projects, coordinates public outreach and citizen participation in community development, provide analytical support to community and economic development initiatives, and acts as the staff coordination office for implementation projects and activities. Program administration is subject to a twenty percent cap, which equates to \$85,000.

Funding Source: CDBG

Funding Provided: \$85,000

Program Delivery and Management: Office of Community Development

National Objective: Not applicable

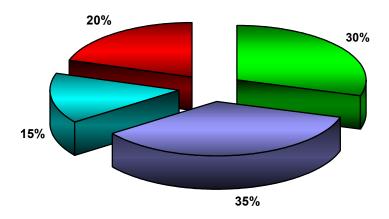
Matrix Code: 21A (General Program Administration)

<u>2003-2004 Strategic Plan Priority:</u> Implementation and management of Housing, Community Development, and Economic Development activities/

2003-2004 Annual Action Plan Project Category: Program Administration

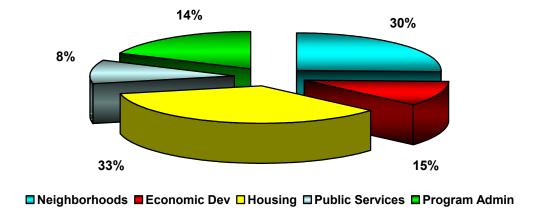
Funding Distribution for CDBG Activities

Figure 1 portrays how Round Rock intends to allocate CDBG funding to implement the Annual Action Plan. This allocation does not include the City's contribution to Public Service Agencies from the General Fund. Figure 2 shows how CDBG dollars will have been allocated over the first four program years assuming this proposed Annual Action Plan is implemented as recommended.



■ Neighborhoods ■ Housing Activities ■ Public Services ■ Administration

• FIGURE 1: Proposed CDBG Allocation to Projects and Administration for PY 2003-2004



• FIGURE 2: Resulting allocation over five program years (1999-00, 2000-01, 2001-02, 2002-03, 2003-04)

Geographic Distribution of CDBG Funds

Map 1 on the following page identifies the City's census block groups where area activities are eligible based on low- to moderate-income designation. The boxes contain the percentage of families in the block group that are LMI. The eligibility threshold for a CDBG target area in Round Rock is 48.1 percent. This Annual Action Plan allocates \$126,450 for area-specific eligible activities that are manifested in Project 1: Neighborhood Enhancements. The remaining \$298,550 will be applied to city-wide eligible activities and program administration.



Certifications

Annual Action Plan 2003 - 2004

Statutes and Regulations

In accordance with the applicable statues and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

Affirmatively Further Fair Housing - The jurisdiction will affirmatively further fair housing, which means it will conduct an analysis of impediments to fair housing choice within the jurisdiction, take appropriate actions to overcome the effects of any impediments identified through that analysis, and maintain records reflecting that analysis and actions in this regard.

Anti-displacement and Relocation Plan - It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, and implementing regulations at 49 CFR 24; and it has in effect and is following a residential anti-displacement and relocation assistance plan required under section 104(d) of the Housing and Community Development Act of 1974, as amended, in connection with any activity assisted with funding under the CDBG or HOME programs.

Drug Free Workplace - It will or will continue to provide a drug-free workplace by:

- Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions with will be taken against employees for violation of such prohibition;
- Establishing an ongoing drug-free awareness program to inform employees about -
 - (a) The dangers of drug abuse in the workplace;
 - (b) The grantee's policy of maintaining a drug-free workplace;
 - (c) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (d) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- 3. Making it a requirement that each employee to be engaged in the performance of the grant to be given a copy of the statement required by paragraph 1;

- 4. Notifying the employee in the statement required by paragraph 1 that, as a condition of employment under the grant, the employee will -
 - (a) Abide by the terms of the statement; and
 - (b) Notify the employer in writing of his or her conviction for a violation of a criminal drug statute occurring in the workplace no later than five calendar days after such conviction.
- 5. Notifying the agency in writing, within ten calendar days after receiving notice under subparagraph 4(b) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to every grant officer or other designee on whose grant activity the convicted employee was working, unless the Federal agency has designated a central point for the receipt of such notices. Notice shall include the identification numbers(s) of each affected grant;
- 6. Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph 4(b), with respect to any employee who is so convicted -
 - (a) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1973, as amended; or
 - (b) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency.
- 7. Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs 1, 2, 3, 4, 5 and 6.

Anti-Lobbying - To the best of the jurisdiction's knowledge and belief:

- No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, ant the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
- 2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer to employee of Congress, or an employee of a Member of congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
- 3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

Authority of Jurisdiction - The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

Consistency with Plan - The housing activities to be undertaken with CDBG funds are consistent with the strategic plan.						
Section 3 - It will comply with section 3 of the Housing and Urban Development Act of 1968, and implementing regulations at 24 CFR Part 135.						
Signature/Authorized Official	Date					
City Manager						
Title						

Specific CDBG Certifications

The Entitlement Community certifies that:

Citizen Participation - It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

Community Development Plan - Its consolidated housing and community development plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that provide decent housing, expand economic opportunities primarily for persons of low- and moderate-income. (See CFR 24 570.2 and CFR 24 part 570)

Following a Plan - It is following a current consolidated plan (or Comprehensive Housing Affordability Strategy) that has been approved by HUD.

Use of Funds - It has complied with the following criteria:

- 1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it certifies that it has developed its Action Plan so as to give maximum feasible priority to activities that benefit low- and moderate-income families or aid in prevention or elimination of slums or blight. The Action Plan may also include activities which the grantee certifies are designed to meet other community development needs having a particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available;
- Overall Benefit. The aggregate use of CDBG funds including section 108 guaranteed loans during program year 2003-2004, shall principally benefit persons of low- and moderate-income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period:
- 3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds including Section 108 loan guaranteed funds by assessing any amount against properties owned and occupied by persons of low- and moderate-income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

The jurisdiction will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108, unless CDBG funds are used to pay the proportion of fee or assessment attributable to the capital costs of public improvements financed from other revenue sources. In this case, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds. Also, in the case of properties owned and occupied by low- and moderate- income (not low-income) families, an assessment or charge may be made against the property for public improvements

financed by a source other than CDBG funds If the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

Excessive Force - It has adopted and is enforcing:

- A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
- 2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction;

Compliance With Anti-discrimination laws - The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 USC 2000d), the Fair Housing Act (42 USC 3601-3619), and implementing regulations.

Lead-Based Paint - Its notification, inspection, testing and abatement procedures concerning lead-based paint will comply with the requirements of 24 CFR 570.608;

Compliance with Laws - It will comply with applicable laws.

Signature/Authorized Official	Date	
City Manager		
Title		

Appendix to Certifications

INSTRUCTIONS CONCERNING LOBBYING AND DRUG-FREE WORKPLACE REQUIREMENTS:

A. Lobbying Certification

This certification is material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

B. <u>Drug-Free Workplace Certification</u>

- 1. By signing and/or submitting this application or grant agreement, the grantee is providing the certification.
- The certification is a material representation of fact upon which reliance is placed when the agency awards the grant. If it is later determined that the grantee knowingly rendered a false certification, or otherwise violates the requirements of the Drug-Free Workplace Act, HUD, in addition to any other remedies available to the Federal Government, may take action authorized under the Drug-Free Workplace Act.
- 3. For grantees other than individuals, Alternate 1 applies. (This is the information to which jurisdictions certify).
- 4. For grantees who are individuals, Alternate II applies. (Not applicable jurisdictions.
- 5. Workplaces under grants, for grantees other than individuals, need not be identified on the certification. If known, they may be identified in the grant application. If the grantee does not identify the workplaces at the time of application, or upon award, if there is no application, the grantee must keep the identity of the workplace(s) on file in its office and make the information available for Federal inspection. Failure to identify all known places constitutes a violation of the grantee's drug-free workplace requirements.
- 6. Workplace identifications must include the actual address of buildings (or parts of buildings) or other sites where work under the grant takes place. Categorical descriptions may be used (e.g., all vehicles of a mass transit authority or State highway department while in operation, State employees in each local unemployment office, performers in concert halls or radio stations).
- 7. If the workplace identified to the agency changes during the performance of the grant, the grantee shall inform the agency of the change(s), if it previously identified the workplaces in question (see paragraph 5).
- 8. The grantee may insert in the space provided below the site(s) for the performance of work done in connection with the specific grant:

Place of Performance (Street address, city, county, state, zip code)

Office of Community Development, 301 West Bagdad, Suite 140 Round Rock, TX 78664

Check ___ if there are workplaces on file that are not identified here; The certification with regard to the drug free workplace required by 24 CFR part 24, subpart F.

9. Definitions of terms in the Nonprocurement Suspension and Debarment common rule and Drug-Free Workplace common rule apply to this certification. Grantees attention is called, in particular, to the following definitions from these rules:

"Controlled substance" means a controlled substance in Schedules I through V of the Controlled Substance Act (21 U.S.C. 812) and as further defined by regulation (21 CFR 1308 11 through 1308.15);

"Conviction" means a finding of guilt (including a please of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violations of the Federal or State criminal drug statutes;

"Criminal drug statute" means a Federal or non-Federal criminal statue involving the manufacture, distribution, dispensing, use, or possession of any controlled substance;

"Employee" means the employee of a grantee directly engaged in the performance of work under a grant, including: (i) All "direct charge" employees; (ii) all "indirect charge" employees unless their impact or involvement is insignificant to the performance of the grant; and (iii) temporary personnel and consultants who are directly engaged in the performance of work under the grant and who are on the grantee's payroll. This definition does not include workers not on the payroll of the grantee (e.g., volunteers, even if used to meet a matching requirement; consultants or independent contractors not on the grantee's payroll; or employees of subrecipients or subcontractors in covered workplaces.)